[Mr. G. Paramesvaran Pillai.]

RESOLUTION *RE* PROHIBITION OF THE MANUFACTURE AND IMPORTATION OF LIQUOR.

PRESIDENT: We shall now resume the discussion on Mr. Madhava Variar's resolution.

THE REV. FR. KURIAKOSE VETTIKKAPALLI: Sir, with regard to this motion, I also beg to add a few words by way of my testimony to the terrible havoc that these intoxicants, especially drink, are playing on society. After the elaborate speeches of Mr. Madhava Variar and Mr. Hoogewerf, I have no long speech to convince the House of the fatal effects drink has, not only on its victim, but on the family and the society to which he belongs. It is indeed a curse to the country. We all know that drink affects not only the body but also the soul—sooner the soul than the body. It undermines the functions of all the organs of the body and it weakens the mind and fills the imagination with all kinds of hallucination, etc. As a result, we see it fills our hospitals with patients, our prisons with criminals and our asylum with lunatics. Any one who has had something to do with the lower working class people who have been given up to this vice, knows very well how they spend all their earnings in the liquor shops and go home and make it a veritable hell on earth. So, it is high time for Government to look into the matter to effect a check on the progress of this evil. As for the remedy that has been proposed, *i. e.*, the total prohibition of the importation and manufacture of liquor, I would say that should be our goal. But to adopt that measure all at once would be too radical and revolutionary. We must work it up as quickly as possible, so that we may reach the goal without a revolution. We must bear in mind also, I beg to add, that the real reformation in drink depends ultimately on rightly educated public opinion. So we should begin to do what is being done by temperance societies and other associations. We should educate the people with regard to the evils and thus prepare the ground, so that we may reach the goal as early as possible, *viz.*, total prohibition. The resolution before us recommends total prohibition except for medicinal and industrial purposes. To these exceptions I would add also religious purposes. For we, Christians, cannot get on without mass wine for our religious purposes.

MR. M. N. PILLAI: Sir, we would like to hear the official member speak on the subject before we speak.

PRESIDENT: I have no objection; but there is no rule that the official member should speak at a particular stage.

MR. G. PARAMESVARAN PILLAI: But there is this difficulty. The non-official members will have otherwise no chance to meet the arguments from the official side. The rule says that the official member may speak twice. That makes it clear that if a resolution is moved and seconded, the official member will speak thereon and perhaps the course of the debate will be shaped thereby. He will have again the opportunity to speak after the mover's reply.

LIBRARY ARCHIVES Kerala Legislative Assembly

PRESIDENT: The rule does not say that the official member should speak first.

MR. G. PARAMESVARAN PILLAI: That, I presume, is the spirit of the rule, and further it has also been the practice.

PRESIDENT: You cannot insist on it. I shall, however, ask Mr. Van Ross to speak.

MR. A. J. VAN ROSS: Sir, Mr. Madhava Variar proposes that Government should completely prohibit the manufacture and importation of liquor in the State except for medicinal and industrial purposes. He has evidently overlooked the fact that wine is required for the celebration of the Mass in Christian Churches of which there is a very large number in the State and that in some Hindu shrines arrack and toddy are occasionally required for sacrificial purposes. Perhaps Mr. Madhava Variar would be inclined to make an exception in these cases also.

I have no doubt that Mr. Madhava Variar is actuated by the highest of motives in bringing forward his resolution. He would wish to see our beloved Travancore a country entirely rid of the drink evil, where every man would be industrious and thrifty and no man would be an idler wasting his substance on drink. His ideal is excellent and one with which every true lover of Travancore may be in sympathy. But the question is, how far is his proposal feasible? Is it a practical proposition?

I may say at the outset that immediate prohibition is impossible, since Government have entered into contracts in respect of country liquor, both arrack and toddy, with several hundreds of contractors for the years 1098 and 1099. In regard to foreign liquor, the licenses already issued are current till the last day of 1098 and those licenses cannot be cancelled without exposing Government to a suit for damages by each licensee.

Even if these impediments to immediate prohibition did not exist, I should still be unable to support Mr. Madhava Variar. Prohibition can never be successfully introduced, unless the whole population of the State with one voice unmistakeably declares in favour of it. Have we got such an assurance? I doubt if Mr. Madhava Variar is in a position to tell the Council so.

MR. A. HOOGEWERF: Has the opportunity been given to the whole population to say with one voice "yes or no" on the question?

MR. A. J. VAN ROSS: There is a large section of the people who are either accustomed to the use of intoxicants or who do not look upon drink *per se* as an evil, All these people will be opposed to the measure. It is therefore clear that the member's proposal cannot be regarded as emanating from the people as a whole and it therefore lacks the element of success.

The only country in the world, as far as I know, where complete prohibition has been ordered is the United States of America. Mr. Madhava Variar has told us how the law has already been

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. A. J. Van Ross.]

productive of much good to that country. That is one version. There is, however, another which tells a different story, according to which the success of the step is seen to be extremely doubtful. The law is being vigorously opposed by a large section of the population and every means is employed to evade it. A large organised effort has been made to smuggle in drinks from other countries and in the country itself various methods are being adopted in private houses to distil alcohol from all kinds of deleterious substances and to obtain other pernicious drugs to satisfy the cravings of the people for intoxicants. The result has been much demoralisation of the people in their efforts to break the law of the land, and serious injury, both mental and physical, to a large number of people who are obliged to consume poisonous liquor distilled from deleterious matter instead of the wholesome Government-controlled liquor which was available to them before. It is said that many people have gone blind by using wood alcohol and many more are being admitted in the lunatic asylums for brain affections brought on by the use of pernicious intoxicants.

MR. M. R. MADHAVA VARIAR: Has he got any statistics with regard to these?

MR. A. J. VAN ROSS: My information on these matters is from the newspapers.

MR. A. HOOGEWERF: American newspapers or English newspapers?

MR. A. J. VAN ROSS: English newspapers.

MR. A. HOOGEWERF: Is England in favour or against it?

MR. A. J. VAN ROSS: Some are in favour and some against it. There are two sections of the people always in such matters. (*Laughter.*)

The results have been so unfortunate that there is, I learn, a strong movement among the labour sections to have the prohibition law abolished. In Switzerland an attempt to prohibit the manufacture and use of liquor was seriously made recently; but, on a plebiscite being taken, the motion was thrown out by a large majority of the people.

There are large numbers of people both among the well-to-do and labouring classes who are accustomed to the use of alcoholic liquors. The great majority of them are only very moderate drinkers. They can never be said to be drunkards. These people who are habituated to a daily normal drink cannot easily give up the habit without great inconvenience, if not injury, to their health.

MR. M. R. MADHAVA VARIAR: Has Mr. Van Ross read the book *Dry America* by St. Nihal Singh?

MR. A. J. VAN ROSS: Yes, I have read it.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. A. HOOGEWERF: Are there not illicit distillation and other malpractices even now in our country where sales are carried on by licensees?

PRESIDENT: It is a hypothetical question. It is very difficult to answer it.

MR. N. PADMANABHA PILLAI: Will Mr. Van Ross tell us whether there is any movement in this country to his knowledge which is against prohibition?

MR. A. J. VAN ROSS: I am not aware of any movement against prohibition, nor am I aware of any for prohibition.

Why should this large section of the population, decent-living men, who take their daily drink in moderation, be deprived of their source of bodily comfort, merely because there is a small section of the population who are foolish enough to drink more than is good for them? Mr. Madhava Variar's proposal involves, I am afraid, a serious invasion of the liberty of the individual. Every man has a right to be allowed to order his life in his own way, provided that in doing so he does not cause harm or annoyance to his neighbours.

A man who takes a moderate drink and behaves himself is entitled to be left alone and any attempt to interfere with his freedom of action cannot but be regarded as extremely unjustifiable. It is curious how Mr. Madhava Variar, a representative of the people, has, in his enthusiasm for his ideal, overlooked the fact that his proposal amounts to such an encroachment on the liberty of the subject.

I have told you of the very doubtful success that the prohibition law is meeting with in America. If such is the case in that country where the facility for obtaining illicit drinks is very limited, what would be the result in Travancore where, owing to the universal and abundant growth of the palm tree, every garden may be said to be a potential brewery and every house a miniature distillery? Illicit tapping and illicit distillation will be freely resorted to, and the drink evil, instead of growing less, will only increase to a much greater extent than before. Government will have lost a large portion of their revenue amounting to over Rs. 25 lakhs and no good will have accrued to the people. A large army of men will have to be employed to enforce the order of prohibition and an intolerable situation will arise by reason of the oppression and persecution of the people at the hands of unscrupulous subordinates. Instead of consuming wholesome liquor manufactured under the control and supervision of Government, all kinds of cheap pernicious stuff, deleterious to the health of the people, will be consumed, resulting in much greater evil than at present.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. A. J. Van Ross.]

MR. T. K. VELU PILLAI: May I know whether Government have had the fermented toddy generally drunk by the people analysed to ascertain the percentage of alcohol contained in it?

MR. A. J. VAN ROSS: I am not aware. I must look into my records.

MR. T. K. VELU PILLAI: At any time?

MR. A. J. VAN ROSS: Not since the time I took charge. I wish to have notice of that question.

The drink evil has been with us from very ancient times. Realising that extreme measures will be of no avail, the Government have stepped in to control and regulate the traffic in drink and not to encourage and aggravate the evil.

MR. K. P. RAMAN PILLAI: Is the evil on the increase or decrease?

MR. A. J. VAN ROSS: The evil is not increasing. I may assure the House of that.

Mr. Madhva Variar thinks otherwise. He has stated that the policy of the department is not calculated to reduce the drink evil, but that, on the other hand, the evil has increased enormously, and that the statement made by me in the last Administration Report that the number of toddy shops in the State was only 1,430 is false. That, Sir, is a very grave statement to make of a responsible officer of Government and I was anxiously waiting to hear from Mr. Madhava Variar some justification in support of his statement. But I have been disappointed. I found he had absolutely no justification for the use of that very strong epithet.

MR. M. R. MADHAVA VARIAR: I shall prove it.

MR. A. J. VAN ROSS: The number of shops for any area is fixed by me and receives the sanction of Government. The number of toddy shops so sanctioned for 1096 is 1,430 and that is the number given in the Administration Report. It is clearly stated so in the Report itself. Does Mr. Madhava Variar mean to say that a much larger number of toddy shops has been really sanctioned, but that, in order to deceive the public, I have understated the number in the Report?

MR. M. R. MADHAVA VARIAR: I did not say "sanctioned". I said that there were many more shops, but the report adds that the number had fallen.

MR. A. J. VAN ROSS: To say that my report is false—

MR. M. R. MADHAVA VARIAR: I have said that the number of shops has increased.

MR. A. J. VAN ROSS: That is against facts.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. M. R. MADHAVA VARIAR: What I said was that there were more shops than mentioned in the Report.

MR. A. J. VAN ROSS: The number mentioned in the Report is correct.

MR. M. R. MADHAVA VARIAR: I do not impute any motives to Mr. Van Ross. Perhaps he did not enquire about it.

PRESIDENT: I do not want the discussion to proceed with this unseemly quarrel.

MR. A. J. VAN ROSS: That does not mean that the statement in my report is false; the statement is absolutely true.

PRESIDENT: Let us pass on.

MR. K. P. RAMAN PILLAI: Are we to understand that there are more shops existing than are sanctioned by Government?

MR. A. J. VAN ROSS: I shall be coming to that. Does Mr. Madhava Variar still say that I have understated the number in the Report?

MR. M. R. MADHAVA VARIAR: No.

MR. A. J. VAN ROSS: If that is what he means and if he can prove the statement, his epithet of "false" will be justifiable. If not, and if he means only that there are illicit shops which have not been sanctioned, I must say that I can only deplore the lack of fairness in the remark of the member.

MR. M. R. MADHAVA VARIAR: Even in spite of my explanation he is proceeding in the same tone.

PRESIDENT: That thing is over, Mr. Van Ross. He has given you his explanation. He does not attribute any motives to you. You may pass on to the next point.

MR. A. J. VAN ROSS: With regard to illicit sales, his authority for stating that they are so extensive appears to be based upon a statement made by somebody at a meeting in Quilon. Such casual statements are no proof at all of the allegations made and the statement of the member has therefore to be taken for what it is worth. The member has referred to two statements made by officers of the department in court to the effect that in practice they are not working in accordance with the provisions of the Abkari Regulation and the rules thereunder. The member has not seen the statements and I very much doubt the accuracy of the report received by the member.

MR. K. P. RAMAN PILLAI: How does he know that?

MR. A. J. VAN ROSS: Because there is no copy with him.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. A. J. Van Ross.]

MR. K. P. RAMAN PILLAI: That does not mean that I have not seen them. I was present in court while the Sub-Inspector was stating that he was not aware whether hydrometer was kept in toddy shops.

MR. A. J. VAN ROSS: The Sub-Inspector is a newly appointed man. Hydrometers are not Kept in toddy shops.

MR. K. P. RAMAN PILLAI: That is quite a different thing from saying that the department has not been working in accordance with the Rules and Regulations.

MR. A. J. VAN ROSS: The man may be quite ignorant.

MR. K. P. RAMAN PILLAI: That is quite different from saying that he is not working in the department according to the rules.

MR. A. J. VAN ROSS: No officer of the department is likely to make such a suicidal statement. Nevertheless, I shall make enquiries if the member will give me further particulars as to the names of the officers and the cases in connection with which such statements are alleged to have been made. There may be illicit sales here and there and their number may have somewhat increased recently as a result of the disorganisation brought about by the anti-tapping movement, of which I understand my friend, Mr. Madhava Variar, is a violent supporter.

MR. M. R. MADHAVA VARIAR: I ask Mr. Van Ross to retract that statement. It is a defamatory statement. He must apologise for making that statement.

PRESIDENT: You should withdraw the word 'violent'.

MR. A. J. VAN ROSS: Yes, Sir, I withdraw that word.

Such sales are inevitable so long as the demand for toddy exists and human nature is cursed with the greed for illegal gain, but I repudiate emphatically that such sales are carried on in anything like the extensive scale which the member would have us believe. Under the Abkari law such sales are an offence and the officers of the Excise Department are engaged in putting down such sales as much as possible. The work turned out will be more efficient if the hands of the department are somewhat more strengthened than is the case at present. I have complained year after year of the very low punishments awarded by Magistrates in abkari cases. Such punishments, far from being deterrent, have only the effect of encouraging the offender to go back and repeat his offence and of rendering the excise officer's work difficult and disheartening. Directly a complaint is made of such low punishments, there is an outcry from the public against interference on the part of the Government with the freedom of the courts. The con-

LIBRARY ARCHIVES Kerala Legislative Assembly

tinued reduction in the number of shops is another cause that conduces to illicit sales, especially in a place like Travancore; and if an appreciable number of shops are not reduced every year, there is a loud complaint about that also. Directly a dishonest and corrupt officer is hauled up for punishment there is an outcry in the papers in favour of the officer, got up either by the officer concerned himself or his friends. No matter how corrupt the officer may be, there are papers to espouse his cause and to attribute all kinds of motives to the head of the department.

MR. G. PARAMESVARAN PILLAI: May I know whether Mr. Van Ross is in a position to cite any one paper as an instance just to enable us to understand the position?

MR. A. J. VAN ROSS: Yes, I can cite. They are papers which I have not got with me just now.

MR. G. PARAMESVARN PILLAI: I should like to see them.

MR. K. P. RAMAN PILLAI: May I know whether his dealing with corrupt officers is interfered with by the newspapers?

MR. A. J. VAN ROSS: Yes. Such kind of things affects the *morale* of the department. Dishonest officers are emboldened and the discipline of the department is seriously affected. If there is less of this kind of interference with the department, much better work will be turned out and we shall hear less of illicit practices. But, Sir, the existence of malpractices does not affect the policy of the Government. If there are malpractices, they can be put down. In spite of these difficulties the department has gone on steadily with its policy to reduce the facilities for drink and to make intoxicants less harmful and increasingly difficult to obtain, and I shall give below the steps taken and the results achieved.

The number of shops—both arrack and toddy—was reduced from 5,209 in 1084 to 2,022 in 1098, *i. e.*, by 61 per cent. The number of opium and ganja shops was reduced from 331 in 1086 to 140 in 1097 or by 57 per cent.

MR. JOSEPH PANJIKARAN: Is there a corresponding reduction in the quantity sold?

MR. A. J. VAN ROSS: Yes. I am coming to that. The duty on jaggery arrack was raised from Bh. Rs. 2- as. 8 in 1086 to Bh. Rs. 3- as. 12 per proof gallon in 1097, *i. e.*, by 50 per cent. The duty on cocoanut toddy arrack was raised from Bh. Rs. 3- as. 2 to Bh. Rs. 6- as. 4 per proof gallon in 1097, *i. e.*, by 100 per cent. The tree tax was also raised as follows:—Palmyra from Bh. Rs. 2 in 1086 to Bh. Rs. 2-8-0 in 1097, *i. e.*, by 25 per cent. Cocoanut from Bh. Rs. 3 to Bh. Rs. 5, *i. e.*, by 66 per cent. Sago palm or *choondapana* from Bh. Rs. 4 to Bh. Rs. 8 *i. e.*, by 100 per cent. The price of opium per seer was raised from Bh. Rs. 29½ in 1086 to Bh. Rs. 65½ in 1097 or by 122 per cent.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. Parameswaran Pillai.]

PRESIDENT: Your time is very nearly up. You will have to hurry up.

MR. A. J. VAN ROSS: I have only a very little more.

The price of ganja from Bh. Rs. 12½ to Bh. Rs. 26 or by 104 per cent. The issue strengths of arrack were reduced in 1097 from 20° and 30° U. P. to 25° and 35° U. P. The minimum selling price of toddy was enhanced from chs. 6 per gallon in 1086 to chs. 12 in 1096 or by 100 per cent.

These various measures have been successful in checking the consumption of intoxicants. In 1084, the consumption per 100 of population of arrack stood at 3 gallons 27 drams of arrack, whereas in 1097 it was 2 gallons 42 drams. The corresponding figures for opium are 13·4 and 10 tolas, for ganja 7·7 and 5·2, tolas and for foreign liquor 40·99 and 26·2 drams respectively.

Under toddy, the figures showing the consumption in gallons are not available, but the results may be judged from the number of trees tapped for toddy. Satisfactory figures relating to the number of trees can be obtained only from the year 1090, since from that year the area under the independent shop system has remained more or less the same. In 1090 the number of trees tapped for fermented toddy was 78,096 and it remained more or less stationary till 1096. In 1096, the two taluks of Muvattupuzha and Todupuzha were brought under the independent shop system which sent up the number to 1,01,623. This number fell to 91,862 in 1097. Instead of an increase there has been a distinct fall under every head and this has occurred in spite of the increase in population which amounted to about 17 per cent. This can only be attributed to the beneficent policy of the Government in controlling the traffic in drink.

While the consumption has decreased, the revenue has increased as a result of increased taxation on intoxicants, *viz.*, from Rs. 10·11 lakhs in 1084 to Rs. 25·97 lakhs in 1097. The incidence of taxation per gallon of proof-spirit in 1084 was Rs. 4- chs. 7- cash 15, while in 1097 it rose to Rs. 8- chs. 11- cash 14 or nearly 100 per cent. Similarly the incidence of taxation per cocoanut tree rose from Rs. 4- chs. 26- cash 6 in 1084 to Rs. 12- chs. 14- cash 10 in 1097 or by nearly 200 per cent. The increase in the abkari revenue does not at all indicate an increase in the consumption of intoxicants. It only means that the cost of drink has been increased. Mr. Madhava Variar's argument that the increase of revenue indicates a corresponding increase in the consumption of intoxicants is therefore clearly a fallacious one. Mr. Madhava Variar spoke of the evils of drink. He said that drunkenness had increased so much as to be a menace to the well-being of the State. No figures have been given by him in support of his view.

MR. K. PARAMESVARAN PILLAI: Will he tell us whether the consumption of arrack has not increased?

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. A. J. VAN ROSS: I have given the figures.

PRESIDENT: From the figures you see that it has decreased.

MR. M. R. MADHAVA VARIAR: What about toddy?

MR. A. J. VAN ROSS: I have given the figures regarding toddy also.

PRESIDENT: From the figures in regard to opium, ganja, etc., except in regard to toddy with regard to which statistics are not very accurate, it will be seen that there is a perceptible decrease in the total consumption.

MR. K. PARAMESVARAN PILLAI: There seems to be something radically wrong in the calculations.

PRESIDENT: You may say so in your speech.

MR. A. J. VAN ROSS: Travancore is only a corner of India, surrounded on two sides by Cochin and the districts of the Madras Presidency. Prohibition can never be a success in Travancore when the rest of India follows a different policy. It is an all-India question and not one for Travancore only. The following paragraph taken from the Report of the Abkari Revenue of the Madras Presidency for the year 1920-21 will be interesting reading in this connection:

"While this report is being written, keenly organised efforts are being made to prevent the sale of toddy shops for the ensuing lease by methods which, though ostensibly "peaceful", amount, in most cases, to intimidation of the most oppressive kind.

PRESIDENT: We do not want the Madras figures. I do not think they are relevant. You may omit the figures.

MR. A. J. VAN ROSS: Yes, Sir, I shall omit the figures.

"The Board earnestly desires to bring one prominent fact to the notice of any genuine temperance reformer who may have allied himself temporarily with the non-co-operator in an agitation which in its unscrupulous interference with individual liberty is surpassing anything experienced in the history of the much-abused bureaucracy. This is that in South India the sources of illicit supply are far more accessible to the regular drinker than in any European country. If the shops are closed liquor can be had from almost any palm with no more skill than is required to cut an incision or dress a spathe, and no more apparatus than a knife and a toddy pot. In a country where so large a proportion of the lower or labouring class are accustomed to the use of liquor, where every man can (so to speak) have his beer tap in his own back-garden and where the extensive topes which cover most of the country-side can immediately take the place of the elaborated breweries of Europe, it is futile to imagine that the closure of shops will have any permanently appreciable effect in stopping recourse to alcohol. If the policy in question were accepted and the shops remain closed, one of two results must follow; (i) drinking will go on unchecked and uncontrolled, liquor being obtainable at a tithe of its present cost, with a loss of Rs. 543 lakhs of revenue to Government, or (ii) the preventive establishment will have to be immensely increased, almost every village constantly patrolled and the agricultural and tapping classes would be subjected to the oppression of a host of petty officials, while the field for blackmail of private individuals and for the corruption of officials would be vastly expanded. Even so, it is unlikely that mere preventive activity could cope with the problem. The majority of the population would be either apathetic, or in actual sympathy with the drinkers and experience has amply shown that, under such conditions, mere preventive activity cannot be an adequate substitute for the provision of a reasonable licit and taxed supply. In the face of these considerations, the Board would urge those who desire to combat the evils of drunkenness by wholesale closure of shops to realise the short-sightedness of the policy they are following and to adopt the more radical, if less ostentatious, method of removing the desire for alcohol and not the sources of licit supplies."

LIBRARY ARCHIVES Kerala Legislative Assembly

[The President.]

The proposal of the member is not a practical one and cannot, with any reasonable hope of success, be accepted. On the other hand, it is calculated to cause an unnecessary loss of a large slice of the Government revenue of about Rs. 26 lakhs. I regret, therefore, I am unable to support the resolution as it stands.

MR. G. PARAMESVARAN PILLAI: Sir, if there was any hesitation on this side of the House in accepting the resolution moved by Mr. Madhava Variar, I may confidently say that Mr. Van Ross has succeeded in giving greater force to the resolution and in alienating all sympathy for his department, or at any rate, for the manner in which his department is now administered. Either the Excise Commissioner's mentality should change or total prohibition should be adopted without delay. Mr. Van Ross says—and seriously too—that it will be an "interference with and invasion of the liberty of the individual" to prohibit the drink evil and that such interference is "unjustifiable". He further urges that each man should be "allowed to order his life in his own way." I wish to know how far Mr. Pitt on the other side will allow us to adopt such a maxim.

MR. A. J. VAN ROSS: Provided that one does not harm one's neighbour.

MR. G. PARAMESVARAN PILLAI: I am not convinced by the explanation that has been offered. The Excise Commissioner made pointed reference to the obligation on the part of the Government on account of the contracts that have already been entered into for 1098 in the case of foreign liquor and for 1098 and 1099 in the case of toddy and arrack. This appears to be a valid reason for not introducing total prohibition until the close of 1099. But what does Mr. Van Ross say in regard to the principle of the resolution? If Mr. Van Ross had given us the assurance that he will at once take all necessary steps to reach the goal or ideal that Mr. Madhava Variar desires the House to accept, then Mr. Van Ross would have had smooth sailing with members on this side of the House.

PRESIDENT: May I say—I am sorry to interrupt you—that Mr. Van Ross was somewhat excited. It is the policy of the Government—Mr. Van Ross himself has read out *in extenso* what I said in the answer I gave to a representation in the Popular Assembly, I do not remember at which session—

MR. N. KUMARAN. At the last session.

PRESIDENT: It is the declared policy of Government to discourage drinking as much as possible and eliminate it gradually and for the State not to depend upon revenue from drink eventually. But it is not a practical proposition to prohibit it at once and instantly. That declared policy of Government is already there for everybody to see. I do not think that Mr. Van Ross meant to go behind that declared policy at all, but I think Mr. Van Ross got excited, and in the

LIBRARY ARCHIVES Kerala Legislative Assembly

excitement he omitted to give what he should have given *viz.*, the assurance that it is the policy of Government to discourage, drink and gradually reduce it until it disappears altogether.

MR. JOSEPH PANJIKARAN: I think Mr. Van Ross had his speech written. So what he said was, I think, deliberately said.

PRESIDENT: Unfortunately, like you, gentlemen, we are not accustomed to public speaking. Mr. Van Ross, exceeded his time. I asked him to hurry up and he got excited.

MR. G. PARAMESVARAN PILLAI: I thank you, Sir, very sincerely for giving us the true import of Mr. Van Ross's declarations this morning. My only regret is that the head of a department who represents Government in this House in regard to their attitude towards the resolution under discussion should have told us something which is exactly the reverse of what has been acknowledged by the Dewan to be the declared policy of Government. This is indeed very surprising to members on this side of the House.

MR. A. J. VAN ROSS: I have not declared anything against the declared policy of the Government. What I said was that the evil of drink could not be stopped immediately. We are all working towards it. I have given the figures which will show that we are taking action to reduce the number of shops and to reduce drink.

MR. G. PARAMESVARAN PILLAI: My only request is that at least hereafter he should get less excited when speaking to members on this side of the House. Mr. Van Ross said that discipline could not be enforced in his department because of newspaper agitation. I am sorry he should have descended to this level in discussing a question of such vast importance. It has been mentioned that the question of prohibition was an all-India problem and not one for Travancore to solve. It seems to me that the fact that it is an all-India problem makes it all the more important that Travancore should lose no time in considering what effective steps should be taken to promote the cause of prohibition. It was also incidentally pointed out by Mr. Van Ross that the Magistrates imposed only light fines on offenders and that therefore the success of the department was gravely affected. It would be more proper to say that the offenders are screened by the department itself than that they are leniently dealt with by the Magistracy. It would appear that the sinners are more the officers of the Excise Department than the Magistrates. I would, in this connection, call the attention of Mr. Van Ross to the reports submitted by responsible officers of the Police Department in respect of the conduct of his own officers. As for the drunken brawls that occur throughout the city and elsewhere after 9 or 10 P. M., I would only cite Mr. Pitt to tell us whether he has not received several reports of such occurrences. I do not think that there has been any violent anti-tapping movement in Travancore as has been asserted by Mr. Van Ross. I take exception—very strong exception—to the general tone of the speech delivered by him; and I would take this opportunity to request him either to change his mentality or to see that the department is entrusted to other hands.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Rao Bahadur K. A. Krishna Aiyangar.]

RAO BAHADUR K. A. KRISHNA AIYANGAR: Sir, the importance of the resolution before the House demanded in all seriousness that it should have been approached without prejudice and without passion. (*Hear, hear.*) It is very unfortunate that, at the very early stage of the discussion, bad blood, should have been stirred up by the use of intemperate language and by personal recriminations. Temperate language alone will carry conviction even when a sound proposition is urged for acceptance. I may be permitted, Sir, to express a hope that hereafter at any rate the members of this House will not be tempted out of their sobriety and out of their sense of courtesy and fairness to descend to the use of undignified language in the excitement of debate. I cannot help regretting that Mr. Van Ross should have viewed the proposition before the House as a vote of censure on his administration of the Excise Department. I cannot believe that that was the intention of Mr. Madhava Variar in submitting the resolution. It is the abkari policy of the Government and not the method of its administration by Mr. Van Ross that forms the subject matter of the resolution. Whether the administration of the department in the past has been ideal in its character, or full of faults and open to censure, is absolutely foreign to the determination of the issue before the House. The resolution embodies an ideal for the realisation of which all lovers of humanity should work together. A large section of our fellow citizens are sunk in degradation and bestiality as a result of drunkenness. What are the measures that should be devised for elevating them, what are the agencies that should be employed for the purpose, how far the Government is competent and able to help in this process of reclamation, how far this House is prepared to stand by Government in the measures the Government may adopt for the purpose—these, I submit, are the aspects from which the resolution has to be viewed and discussed. Alcoholism to-day has unfortunately dragged us down from our accustomed level of debate. (*Laughter.*) I am confident that my friends on this side of the House would consider it a duty they owe to the House and to themselves to maintain the prestige and dignity of the Council and not to impair its usefulness by the use of intemperate language.

MR. G. PARAMESVARAN PILLAI: Does it apply to this side only?

RAO BAHADUR K. A. KRISHNA AIYANGAR: My appeal is to all. I am confident of a response from friends on this side, and I have no doubt that the President will save us from any deliberate attempt on the other side to tempt us out of our resolution.

Now, passing on to the merits of the proposition before the House, there is no doubt that as an ideal it does not admit of any difference of opinion. After the clear enunciation of the policy of the Government by you, Sir, there is no scope for any further misgiving with regard to the attitude of the Government on this question. We may frankly admit

LIBRARY ARCHIVES Kerala Legislative Assembly

that there are considerable difficulties ahead to be overcome before the ideal is realised. I do not think that Mr. Madhava Variar himself is unmindful of the difficulties or is anxious to press for the adoption by Government forthwith of the policy underlying the resolution, though the language of the resolution may justify that inference. The resolution does not specify the time within which the ideal should be realised nor the lines along which we should work for ushering in the millennium. It appears to me, Sir, that a mixed committee of this House may be appointed to examine the question in all its aspects, to consider whether it is possible to introduce local option in the major municipalities of the State, whether the hours during which liquor is sold may not be curtailed, whether it will not be possible to reduce the total quantity of liquor that may be sold in any one station and to restrict the quantity of foreign liquor that a licensee may be permitted to import into the State, how far the adoption of these measures may have a tendency to disturb public peace and what preventive measures may have to be adopted to guard against it. Ways and means will also have to be devised for replacing the tainted revenue now derived from the sale of liquor. We cannot ignore the contention put forward by Mr. Van Ross that Travancore by itself cannot go in for the policy of total prohibition without the concurrence of Cochin and British India, as otherwise a very costly agency will have to be created to prevent smuggling across the border. It is essentially an all-India problem. We hear so much about America having gone dry. It is in the nature of an experiment and time alone can show whether the experiment will be an absolute success as it deserves to be. We hear Americans flocking in large numbers as on a regular pilgrimage for purposes of drink to an adjoining British settlement.

MR. S. PARAMESVARA AIYAR: May I point out that in America, as far as I am aware, only the transport and sale of liquor are prohibited by legislation? There is practically no objection there to manufacture liquor for one's personal use.

RAO BAHADUR K. A. KRISHNA AIYANGAR: I was not aware of that. In any event the professional manufacturer and vendor are eliminated and that goes a long way to help the country becoming dry. Hundreds of people who may have a craving for drink may not command the necessary capital, mechanical skill and leisure for installing stills in their homes. Again there is the question how far foreign vessels can enter American ports with intoxicating liquor on board. The opinion of the Attorney-General against such entry is now the subject of international discussion. I am referring to these circumstances just to satisfy the House that a mere declaration by the Government that from and after a certain date the subjects of His Highness the Maha Raja shall not manufacture, transport, sell or drink intoxicants on pain of conviction in the criminal courts, will not accomplish the end which the learned mover of the resolution has in view. The Penal Code cannot be the ultimate solvent of all

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. T. K. Velu Pillai.]

social evils, and a good deal of propaganda work has yet to be done by the leaders of the temperance movement. Heads of great religious communities in the country ought to interest themselves in the movement and spread broadcast the gospel of temperance. I know of a serious attempt recently made by a Catholic Bishop in North Travancore to enforce temperance on his flock with the sole purpose of improving their material and moral welfare. His herculean efforts were not crowned with the success they deserved. He tried to influence his followers against renting shops from the Abkari Department for the sale of liquor. His well-meant labours in this direction threatened some with loss of their avocation. These latter created a split among the parishioners of an important parish church under his control and defied his authority. The Bishop excommunicated them and the rights of baptism and burial were withheld from them.

MR. A. HOOGEWERF: Will the member substantiate his statement?

RAO BAHADUR K. A. KRISHNA AIYANGAR: The statement is correct. I am referring to the events that transpired recently in an important church in the neighbourhood of Alleppey. A disturbance of peace was apprehended. The interference of the magistracy was sought for. One of the parties concerned came for a professional consultation and I was morally satisfied that the real genesis of the whole trouble was the attempt of the Bishop to restrain his flock from drinking or vending liquor. If it will comfort my friend, I may assure him that in my judgment the Bishop was perfectly justified in the course that he pursued, and that it was not an invasion of the ordinary rights of citizenship. I believe that the Bishop was perfectly within his rights in trying to enforce by means of ecclesiastical laws the reformation of his followers. I merely referred to this incident just to show the strength of the difficulties in our way. There is, however, no ground for despair. The evil is deep-rooted in the poor and labouring classes who form the bulk of our population and on whose health and strength the economic progress of the country largely depends. A great British statesman once remarked that a nation lives in the cottage. Temperance and prohibition movements are mainly intended to ensure the material and moral welfare of these large classes of our population. Viewed from this standpoint the resolution before the House is entitled to the serious consideration of the Government and of the House. But it will not be practical politics without a detailed examination of local conditions to press it for adoption by the House and the Government in the form in which the resolution runs.

MR. T. K. VELU PILLAI: Sir, the learned Deputy President has emphasised the necessity of cordial relationship between the two sections of the House. I am not sure if the House stands in need of such a reminder. But, coming as it did from

LIBRARY ARCHIVES Kerala Legislative Assembly

the Deputy President, I would not demur to it. I believe that it is an ideal that should be steadily kept in view by both the sections of the House. I should first of all congratulate my friend, Mr. Madhava Variar, on the learning and enthusiasm with which he has placed the subject of his resolution before the House. He has been actuated by the noblest of impulses and he has done his duty with the consciousness of the importance to be attached to the subject. Mr. Madhava Variar is on the top of a high wave of enthusiasm in favour of the temperance movement. He has also exercised his reason and, as a result of his reasoning, he has come to some conclusion. The leader on the opposite side labours under a serious disadvantage.

MR. G. PARAMESVARAN PILLAI: Who is the leader of the opposite side?

MR. T. K. VELU PILLAI: I understand Mr. Van Ross to be the leader for this particular discussion on the opposite side. (*Laughter.*)

PRESIDENT: The Excise Commissioner. He is the member in charge of the resolution.

MR. T. K. VELU PILLAI: I meant, leader of the discussion, and I think I am right. So, Mr. Paramesvaran Pillai need not have any more difficulty with regard to that.

Mr. Van Ross is in a very unfortunate position. He is suffering for the sins of his official situation as the head of the Excise Department. He is suffering for the sins of the drinking community. He is also suffering for the frailty of human nature. Unfortunately, Sir, as you have already pointed out, when a gentleman who is not accustomed to speak is asked to speak, adjectives are sometimes necessarily used and sometimes unnecessarily. I do not say this in any spirit of satire. I say this because I think we must forget those adjectives and some of the expressions of opinion made by Mr. Van Ross in considering the important problem now before the House.

MR. G. PARAMESVARAN PILLAI: Does Mr. Velu Pillai want us to forget the expressions of opinion made by the member in charge of Excise?

MR. T. K. VELU PILLAI: Yes; opinions not relevent to the discussion may be forgotten with profit. Personal matters will seldom help us onward in solving the problem of intemperance. Mr. Variar has given very good reasons why there should be absolute and immediate prohibition. His reasons are very sound. It has been the declared policy of all civilised States including Travancore to regulate drinking in order to reach the excellent ideal of minimum of drink. The Travancore Government have very often laid down this as their policy, but unfortunately, as it happens to be a fiscal matter, the lukewarmness of Government sometimes appears to be the reason why the policy has not been followed in spirit. I shall read a sentence from the Administration Report for 1096:

> "This fall in the consumption of liquor is attributed by the Excise Commissioner to the general economic distress prevailing throughout the State during the year under report."

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. T. K. Velu Pillai.]

I need not comment upon that sentence. That presupposes that the Excise Commissioner wanted to anticipate the action which would be taken by Government and he wanted to explain why he should not be taken to task. Now, if the Excise Commissioner has understood that the prime object of the Excise Department is to prevent drinking, this is not the language that should be used. On the other hand, I should expect him to say "as the result of the declared beneficial policy pursued for several years, drinking has been brought to a minimum."

MR. K. P. RAMAN PILLAI: That will not be true. (*Laughter in the Visitors' Gallery.*)

PRESIDENT: The audience must remember that they should not demonstrate.

MR. T. K. VELU PILLAI: Illicit distillation and illicit importation can very well be kept under control. I would only wish that Government and the Department will see that the policy that they have laid down is followed both in the letter and in the spirit. In this matter where Government gets revenue from the depravity of human nature—a kind of depravity that feeds on itself and brings on additional depravity to succeeding generations—in a matter like this, the sympathy of the world can never be expected to be with the Government. I remember Kautilya's directions in the *Arthasastra* making it legitimate for the State to levy a tax on prostitution for the benefit of revenue by compelling the followers of that nefarious trade to contribute the earnings of two days in the month to the public fund. The proceeds of drinking stand on the same basis. That Government should make such large sums of money from this iniquitous source is not creditable to the cause of civilisation. I would, therefore, request Government to pursue vigorously the policy which has been laid down by themselves. Sir, in Travancore, the matter has become particularly difficult on account of the anti-tapping movement. I regard every community as being endowed with the right to do what it thinks right, so long as the law is not disobeyed. The Government should never encourage any community to do a bad thing, nor punish a community for doing what is right. If, as has been said here by certain gentlemen, the department would do nothing and would be indifferent as regards social elevation and economic prosperity, that policy is wrong. I trust that Government will not pursue such a course of action.

Now, as regards the merits of the resolution which was ably moved by Mr. Madhava Variar, I wish to say that the acceptance of the proposition in its entirety is to my mind impossible, because it says that, in cases where liquor is required for medicinal and industrial purposes, exemption may be made. To me a very difficult question presents itself. Who is to decide whether the drinking of toddy or arrack is for a medicinal purpose or not? If all those who drink toddy or arrack should arm themselves with certificates from duly qualified medical

LIBRARY ARCHIVES Kerala Legislative Assembly

men, that would open the door to corruption. It would be a serious affair again and would be disastrous in its results. I find this practical difficulty in adopting the resolution. What is the meaning of industrial purpose? Some enterprising capitalist may probably think that providing toddy or arrack is part of his industrial equipment, perhaps in the same manner as the military authorities believe in the efficacy of giving rum to soldiers on the eve of battle. It is very difficult to draw a line of distinction between a drink for medicinal purposes and purposes of luxury. Further, other practical difficulties may also be seen to exist. There are certain agreements between the Travancore Government and other Governments. Once duty is paid in any one of those States, the liquor upon which such duty is paid may be brought into Travancore, and if we legislate on this subject in a summary fashion, I fear we shall be violating our own undertakings. I therefore suggest that this Council should imperatively request Government to persist in their declared policy to bring down consumption of liquor to its minimum with a view to stop it altogether. This raises a broader question of policy and that is the wider question of morality. If you are going to prohibit liquor, you should prohibit not only liquor but its substitutes. You should prohibit the consumption of opium, bhang and such other narcotics as are imported. You will have to prohibit the importation of cocaine.

MR. K. P. RAMAN PILLAI: It is required for medicine.

MR. T. K. VELU PILLAI: I know all that. Mr. K. P. Raman Pillai would not tell us anything about the use of liquor for medicine. But when I begin to mention cocaine, he comes forward to tell us that it is required for medicine.

MR. K. P. RAMAN PILLAI: I know it is used for medicinal purposes.

MR. T. K. VELU PILLAI: Whether for medicinal purposes or other purposes, it is none of my business. I merely said that as part of a general policy all kinds of intoxicants, narcotics and liquors should be prohibited. Unless that is done, the result will be to push up more opium and ganja and other injurious substitutes. Therefore, while emphasising this aspect of Mr. Madhava Variar's resolution that it is the bounden duty of Government to regulate drink in such a manner that the best result may be reached in the very near future, accepting at the same time that absolute prohibition should be the ideal that should be placed before the Government, I would suggest that a suitable modification be made to the resolution now before the House. I would request Mr. Van Ross not to take it that we are criticising the action of his department as a personal matter. Apart from Mr. Van Ross, apart from the Excise Commissioner, it is a question of policy which has been repeatedly laid down by Government and he should see that that policy is vigorously pursued, whatever his individual opinion regarding it may be.

MR. P. K. NARAYANA PILLAI: Sir, I rise to sympathise with the resolution moved by Mr. Variar though not to support him, in spite

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. P. K. Narayana Pillai.]

of the fact that he was about to be mauled by the infuriated head of the Abkari Department and would have stood in urgent need of the timely interposition of another member, Mr. Pitt. (*Laughter.*) I am very glad to say that I associate myself with the noble purpose underlying the resolution moved by Mr. Madhava Variar and emphasised by the very pathetic appeal made to this House by Mr. Hoogewerf. May I also add that I am prepared to enlist myself under the banner of any decent leader to fight 'the internal enemy' as Mr. Lloyd George calls the liquids that not only cheer but also inebriate. But these personal inclinations of mine are not sufficient to countervail the result of a cold consideration of the resolution that has been placed before the Council. What Mr. Variar aims at is not to put a dam across the current of alcoholism, where it opens out into the plains of the country, *i. e.*, at the place of consumption and where it tends to irrigate the dryness of human throats, but at a point still further up the stream, that is to say, at the origin itself where it sees the light of day. It is not prohibition that is made the subject of the motion, but it is the production of liquor and its transportation, importation and exportation. That is certainly aiming at the very root of alcoholism. Probably the mover of the resolution has taken his cue from the praiseworthy movement set on foot by our Ezhava brethren as an adjunct to the question of temple entry—what, in other words, is generally known as the anti-tapping movement. When this anti-tapping movement was seriously brought into prominence, I thought that there was a humorous aspect in which it might be viewed. For, while members of other communities can conveniently enter temples after having stored quantities of liquor within the cavity of their stomach without profanation to the deity concerned—

MR. N. KUMARAN: Where does he find the connection between the temple entry question and the anti-tapping movement?

MR. P. K. NARAYANA PILLAI: The resolution itself has its origin in the anti-tapping movement.

MR. N. KUMARAN: Has it any connection with temple entry?

MR. P. K. NARAYANA PILLAI: That is my inference, since this question was taken up by the Ezhava community after the temple entry question was raised. And because of the fact that to some images of Hindu deities offerings are made of spirituous liquors, I thought it was possible to argue that the production of toddy could not be a disqualification but could only be viewed as a qualification for temple entry. However, our Ezhava friends took a different view in the matter.

PRESIDENT: We have not got that question before us.

MR. P. K. NARAYANA PILLAI: I am only alluding to this. I thought I could trace the origin of this anti-tapping movement. No doubt, they took a saner view and they wanted to put a stop to all tapping. But, with all that, this particular resolution now presented to

LIBRARY ARCHIVES Kerala Legislative Assembly

this House, though it deserves all sympathy, is likely to prove somewhat vexatious to the officers of the Excise Department. It deserves also to be viewed from another standpoint, *viz.*, from that of practical difficulty. First of all, we have got the Abkari Regulation still at large. Without repealing the Abkari Regulation and the rules and engagements under that Regulation, if this House passes this resolution, it would practically remain a barren resolution. I do not know whether by a side wind in the shape of a resolution it is possible to repeal the Abkari Regulation. Any measure to repeal a statute in the Statute Book requires the written permission of the Dewan, so that the measure may be introduced. If this resolution is going to be carried, it is practically the invalidation of the Abkari Regulation and I fail to see how this Resolution can be seriously considered by this House itself. Further, the comprehensive nature of the resolution prohibits the production of all manner of liquor, whether intoxicating or not, except for two specified purposes.

MR. A. HOOGEWERF: Does not liquor mean intoxicant?

MR. P. K. NARAYANA PILLAI: Not necessarily. The member had better consult the dictionary to clear his difficulty.

MR. A. HOOGEWERF: I do not want to be dogmatic. I only refer to liquor as understood in the Abkari Regulation.

MR. P. K. NARAYANA PILLAI: With reference to the reservation mentioned in the resolution, I would raise some objection. First of all, the provision for the exclusion on account of the two grounds mentioned is not enough. In the laboratory, for example, we require methylated spirits for the use of spirit lamps. Chemical experiments are not industrial purposes. My friend, Mr. Variar, referred to the question of medicinal purposes. Who is the authority, and what is the test to decide any particular use of alcohol as necessarily medicinal? Suppose a native physician is consulted and he advises the use of toddy—

PRESIDENT: For that matter you have, in the Ayurvedic Pharmacy, fermented medicines.

MR. K. P. RAMAN PILLAI: We have no Medical Practitioners' Act in Travancore.

MR. P. K. NARAYANA PILLAI: A quack doctor may advise the use of a few gallons of arrack for a particular disease. Who is going to prevent it? As my friend, Mr. K. P. Raman Pillai, says, there is no Medical Practitioners' Act here. So, any man may use it; any man can use liquor quite honestly, if in the light of his experience he thinks alcohol has medicinal properties so far as he is concerned. Under these circumstances, it is extremely difficult to work this particular resolution. It is extremely difficult to prescribe the scope of this resolution definitely. That is another difficulty. I think along with certain other

LIBRARY ARCHIVES Kerala Legislative Assembly

[The President.]

speakers that Mr. Variar himself could not have intended that the resolution should be carried by the House, when he moved it. Probably he wanted only to elicit a declaration from the Government as to their policy in the matter. That, of course, we have already had, and this has been set forth and adverted to by Mr. Krishna Aiyangar. It is not sufficient anyhow that the Government lay down the policy in a reluctant or detached spirit. It may be difficult for Government to lead the temperance movement. But, so far as regards private individuals who are ardent workers in the field as we have got among some young men of the Ezhava community, the attitude of the Government in this matter may be so shaped as to leave no doubt as to the sympathetic view of Government in favour of temperance. We see that alcohol has been described by some one as a "financial beast of burden." It may be taxed at various points. It may be taxed at the point of production, exportation, importation and consumption. It may be taxed at all these points. It is capable of bearing an amount of heavy weight, so much so that it has been a veritable beast of burden. In view of that fact it is quite likely to give rise to temporary excitement in the departmental head concerned who may forget himself and go into paroxysms owing to his altered outlook, because of the challenge offered to public revenue by the strength of the movement. Keeping that apart, there are other Departments, the Judicial Department, the Magistracy and the Police. Why should they excite themselves into frenzy over this question? That is what we cannot really understand. Why should the policeman roll his eyes, distend his nostrills and call up the latent vestiges of his heroism when an ordinary question of infringement of law has taken place? In conection with the question of temperance, such demonstration would seem to indicate that the declared policy of Government is not being steadily kept in view by the underlings of Government who have anything to do with the administration of law. It is with respect to that that Mr. Madhava Variar's resolution should be the occasion to elicit an answer to the effect that such subordinates should not unduly excite themselves over this question, when, granting for argument's sake, it involves the infringement of law, occurring in connection with temperance work. With these words, while sympathising fully with the underlying principles of Mr. Variar's resolution, I feel sorry I cannot support him.

PRESIDENT: I may perhaps say a word with reference to the pointed question put by Mr. P. K. Narayana Pillai. I may say that the policy of Government is not at all opposed to any moral or educative propaganda, and if Government or the officers of Government have to take any punitive action, it is with reference to acts connected with the infringement of law. The policy of Government is not to discourage people who undertake educative propaganda or similar propaganda or anything which raises the intelligence and the moral outlook of the people. But there are law, order and peace to be preserved, and if any person by his

LIBRARY ARCHIVES Kerala Legislative Assembly

conduct infringes law or does a thing which is likely to lead to a breach of the peace, then, under the provisions of law, action has to be taken.

It is only when a man's conduct is such that it comes within the four corners of the law that the Government and its officers have to take punitive action.

MR. P. K. NARAYANA PILLAI: I am really thankful for the straightforward answer which I have got from the Chair.

MR. K. P. RAMAN PILLAI: Sir, when so much mild excitement could be created on a dispassionate discussion on matters pertaining to the Excise Department, one may well imagine what the state of personal feelings would be when the stuff really goes in. No sober person can fail to sympathise with the ideal of total abstinence that the mover has set before us. But, I believe, it is this gentle excitement that is responsible for a good deal of the misunderstanding about this resolution. I do not believe my friend Mr. Variar ever intended that the resolution could be read to mean that he advocates immediate total prohibition. There is no word or expression in the resolution which would indicate that total abstinence should be introduced *at once*. On the other hand, the resolution simply says that the manufacture and importation of liquor be completely prohibited. That shows that Mr. Madhava Variar is not unaware of the financial aspects of the question, and that he is mindful of the fact that Travancore borders Cochin and British territories where prohibition has not been introduced. So that, if his resolution were to be given immediate effect to, there would no doubt be a considerable loss of the revenue of the State without achieving its object. For, by migration to the border tracts of Cochin and the British territories and by smuggling liquor into Travancore, the very object of the resolution could be frustrated.

MR. Madhava Variar's resolution itself makes an exception in regard to medicinal and industrial purposes, and, I am sure, he will make further concessions regarding the importation of mass wine and the production of sweet toddy for the purpose of manufacturing jaggery and for *pani* and other substances useful for human consumption, provided it is not converted into arrack. I am also sure that he will not agree with Mr. T. K. Velu Pillai, when he advocates the prohibition of importation of cocaine and other medicines which are absolutely necessary.

MR. T. K. VELU PILLAI: I may correct my friend. I never said so. I only said that this would naturally encourage the importation of cocaine.

MR. K. P. RAMAN PILLAI: I know my friend seldom speaks what he means.

MR. T. K. VELU PILLAI: I want Mr. K. P. Raman Pillai to apologise, as a gentleman.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr K. P. Raman Pillai.]

MR. K. P. RAMAN PILLAI: Even without that qualification would have apologised to Mr. Velu Pillai.

My friend, Mr. Variar, would never stand in the way of importing cocaine and other narcotics that are absolutely neceesary for the purpose of medicines. So far as I have been able to understand the words of the resolution and so far as I have carefully listened to Mr. Variar's speech, I am inclined to think that he is fully conscious of the policy of the Government that has been laid down so early as 1073 when the Abkari Regulation was introduced into the Council. His object in moving this resolution is, it seems to me, to draw the pointed attention of the Government to the fact that the abkari law is not being administered as it ought to be. His idea is to draw the attention of Government to the fact that the law should be administered literally and vigorously. It is with that object that he drew the attention of the House to the very many irregularities that are now being perpetrated in the administration of the department. For example, the absence of hydrometers in toddy shops, the failure to keep measuring vessels, the nonobservance of the rules regarding the quality and quantity of liquor sold, the place and time of sale, and so on. It is also, I believe, the object of the mover to draw the attention of Government to the undue harshness with which the law, especially the criminal law, is being made to move against offenders who, but for their association with a movement which affects the excise revenue, would have been treated more leniently and in quite a different manner. I have personal knowledge of Inspectors who are ignorant of the provisions in the licenses of toddy shops. Under these circumstances I fail to see how they may be expected to enforce the provisions of the law. And, that being so, if the provisions of the Abkari Regulation are rigorously worked, it will be quite possibe by degrees to bring about total prohibition in the land, or, at any rate, to reduce the consumption of liquor to a very great extent. It is also unfortunate that the attention of the Government has not been directed to the causes of the so-called Ezhava agitation to which the Financial Secretary has referred us even in his opening speech. A report alleged to have been made by a District Superintendent of Police appeared in the newspapers, about which interpellations have been made in this House. All these lead one to infer that this so-called agitation is due to the faults of the underlings of the Excise Department, particularly in areas where the farming system prevails. The Financial Secretary admitted that the agitation was, to some extent, due to the high rental of the contract, which the present Excise Commissioner fixed at the time of auctioning the shops; and it could not be denied that to some extent this is due to the present temperance movement in the community, caused by a feeling of the moral degradation involved in professional tapping, so that I could not entirely agree with Mr. Krishna Aiyangar when he says that the object of the mover is not to point out the corruptions and malpractices of the department. His idea is to point them out to Government with a view to demonstrate that the

LIBRARY ARCHIVES Kerala Legislative Assembly

only way of enforcing the policy of the Government is by enforcing the Abkari Regulation with vigour. That is not being done, and I believe it is the duty of every one to see that unnecessary and undue importance is not given to movements of this nature. Those who are in touch with the actions that are now being taken under Section 90 of the Criminal Procedure Code will prophesy that, if this state of things is to be allowed to continue long, there will be serious trouble in the land. I would, therefore, request the department and the Government to take immediate steps to find out these very grave and serious allegations that are being openly made against the department and assure the mover that the principle of local option would, at least, be granted.

MR. K. PARAMESVARAN PILLAI: Sir, bearing in mind the very valuable advice given by my learned friend, Mr. Krishna Aiyangar, in regard to the effect of resolutions passed by this House, I feel inclined to support the principle—the great principle—underlying the resolution now under discussion. Lower down in the agenda paper for to-day members will find another resolution by Mr. P. Parameswaran which runs thus:

"That this Council recommends that the Government do arrange for the gradual reduction of toddy and arrack shops in the State, say, to the extent of 5 per cent. in order to reduce the facilities for drink and to promote the habit of temperance among the subjects of His Highness the Maha Raja."

A similar resolution was submitted by me also for discussion in this Council, but it was balloted out. The object of all these resolutions is the same, *viz.*, to induce the Government to adopt a policy—I should say a very vigorous and active policy—of encouragement of temperance, and not only temperance, but the prohibition of the habit of drink in this country. Whether it would be practicable immediately or not is beside the point altogether now. It appears to me, Sir, that, although it has been the declared policy of Government in organising the Excise Department to reduce drinking in course of time and perhaps to prohibit drinking altogether in future, that policy has been altogether forgotten by the department, and it is now run merely for profit or revenue to the State. Even at this late stage, the Excise Commissioner needed to be reminded by Government that their excise policy is not fiscal, but moral. In spite of this being the declared policy of Government, it cannot be denied that that policy has not been given effect to—at any rate that it has not been successful in discouraging drink in the least. On the other hand, from the statistics available, I may submit that the drink habit has been greatly increasing. From "Statistics of Travancore," Part I, pages 34-35, we find that the income or revenue from the Excise Department rose from Rs. 8,40,918 in 1081 to Rs. 22,34,598 in 1095, *i. e.*, that in the course of 14 years it has nearly trebled itself. It has been said that this increase in the revenue was not due so much to the increase in the consumption of liquor as to the rise in the price of it. Here, I am sorry, I have to contradict the Excise Commissioner. From a reference to page 35 of the same book we find that the total quantity of arrack issued for consumption in 1086 was 1,11,597 gallons and that the

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. Parameswaran Pillai.]

quantity rose to 1,39,081 gallons in 1089, *i. e.*, by over 30 per cent. Then there was a fluctuation owing to war conditions between 1089 and 1093. In 1094, the quantity of arrack consumed rose again to 1,30,233 gallons. Of course, in 1095 and in 1096 there was a fall of about 7,000 gallons, as you will find from the Administration Report, and the cause of that, as given by the Excise Commissioner, has been mentioned by my learned friend, Mr. T. K. Velu Pillai, already. So that between 1086 and 1095, in spite of the economic distress prevailing in the country, the consumption of arrack rose by more than 46 per cent., while the population according to the Excise Commissioner himself rose only by 17 per cent. Therefore there is clearly an increase in drinking as inferable from the large increase in the consumption of liquor in spite of the prevailing economic distress in the country. Now, going again to page 36 of the said book, in regard to toddy, we find that the number of trees under tapping—both palmyra and cocoanut put together—is 44,110. The number of cocoanut trees under tapping rose from 30,666 in 1086 to 58,982 in 1095, *i. e.*, nearly by 50 per cent. It was, therefore, that I pointed out to the Excise Commissioner while he was speaking that there must be something radically wrong in his figures regarding consumption per head of population and so forth. If we take arrack, the consumption per head of population would be about four gallons. I therefore submit that, in spite of the declared policy of Government being to reduce drink, the drink habit is increasing, and it must be combated. The question is whether it is immediately possible or whether it is within the purview of practical politics. With the example of America before us, it appears to me that we need not despair at all. On the other side it was pointed out by Mr. Parameswara Aiyar that in America they only prohibit the transportation of intoxicating liquor. I must correct him here, because I find from Mr. St. Nihal Singh's *Dry America* that Article I of the amendment to the constitution of the United States runs thus:

"After one year from the ratification of this article the *manufacture, sale or transportation* of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited."

MR. S. PARAMESVARA AIYAR: I am speaking of subsequent legislation. I would refer my friend to page 1085 *et seq.* of Vol. II of the proceedings of the Indian Legislative Assembly.

MR K. PARAMESVARAN PILLAI: The book I quote from was published in 1921. I find here that 45 out of the 48 States constituting America accepted this. Whether subsequent to this there has been any modification, I do not know. With that example, I submit, as I said, we need not despair at all. Now coming to Travancore, the conditions it would be seen, are far more favourable than elsewhere. My friend, the Excise Commissioner, spoke of interference with the freedom of individuals. So far as I know there is no country and no nation in the world which values personal freedom, freedom of action and freedom of thought

LIBRARY ARCHIVES Kerala Legislative Assembly

to such an extent as America and the Americans. In spite of that, they found it possible to prohibit drink altogether, and it was accepted by the vast majority of the people of the several States that constitute the United States of America. Coming down to Travancore, we find that conditions are far more favourable. In the first place, drinking is not at all a habit among the high caste people; secondly, there is a great prevailing public opinion against drink; thirdly, in this country, we have got a peculiar state of things existing, *viz.*, that the very community which manufactures and sells liquor, and from whom one should ordinarily expect the greatest opposition to prohibition has come forward to combat this drink habit and to discourage tapping and the manufacture and sale of liquors. The members of that community only require that their endeavours in this direction should not be discouraged by the authorities concerned; so that, I submit that, if there is any country where it has become possible and feasible to carry out the policy of prohibition of drink, it is this country. So far as the finances are concerned, the Government have declared that their excise policy is not based upon finance. Even if it were and if by prohibition we should lose about Rs. 26 or Rs. 36 lakhs every year, the advantage that would accrue to the country by this prohibition would more than compensate it. Further, if we take the example of America, we have no reason to fear of any loss of revenue in the long run. On a rough calculation the people spend nearly Rs. 150 lakhs on drink. By prohibition all this money would be saved by the community. This will have resulted in an increased standard of living and improved trade and industry. The people would grow richer and more able to meet the demands of the State. This is exactly what happened in America. There every kind of business is in a flourishing condition after the prohibition of drink, because the money saved by this prohibition is utilised for the purchase of foodstuffs, milk and various other articles of luxury and convenience. It will then not be impossible to devise means by which a certain portion of the saving may be taken out of the people for public purposes. In America, by a graduated scale of income-tax, they were able to recoup the loss of revenue that was caused by prohibition, but they were able to raise twice or thrice the amount of the revenue they used to get from their excise system. Though it will not be possible in one day or one year, to-day or to-morrow, to stop drinking altogether, the Government can accept a definite policy of discouraging it and stopping it in course of time, say, 5, 10 or 12 years. It was one year that was allowed in America. I, therefore, whole-heartedly support the resolution.

MR. M. N. PILLAI: Sir, in supporting the motion of my friend Mr. Madhava Variar, I have to say it is high time for the Government to take effective steps towards the total prohibition of all sorts of alcoholic drinks in the State. The drink habit is on the increase in Travancore and the Government are not only not doing anything to discourage it in accordance with their declared policy, but they are taking active steps to repress the commendable labours of the temperance movement.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. M. N. Pillai.]

PRESIDENT: I must take exception to that statement.

MR. M. N. PILLAI: I shall explain.

PRESIDENT: I must say that you are not justified in saying that Government are actively encouraging the drink movement and repressing the temperance movement. I would ask you to withdraw that statement.

MR. M. N. PILLAI: If so, I shall withdraw it.

PRESIDENT: I must have it withdrawn unconditionally.

MR. M. N. PILLAI: Yes, I withdraw.

The temperance movement in British India is doing a great service to humanity by conducting an active propaganda in the matter of checking the drink habit of the nation, and that with considerable success. As a result of this movement there has been a decrease of Rs. 61 and odd lakhs in the revenue of the Madras Presidency during the last year to the great disquietude of the department.

Sir, unless Government shows sympathy with this movement and take effective steps to stop this evil of drink at an early date and improve the morality of the people, there will come a time in the near future when Government will be faced with a more difficult situation. The aim of the Government should not be its revenue alone, regardless of the well-being of its people.

The people of the land are fast awakening to a sense of their responsibilities and they have begun to feel that the Government is not prepared to help them and that they should help themselves. It is a most disgraceful thing that in this capital city the Abkari Rules are honoured more in their breach than in their observance and I am afraid that it cannot be without the knowledge of the head of the department. Though the Abkari Rules strictly prohibit the sale of alcoholic drinks after 8 P. M., I can assure this House that many of the shops in this town are kept open during the greater part of the night. The incident Mr. Variar related yesterday clearly shows that the excise authorities are not at all particular in enforcing strictly the hours of sale in liquor shops. When such is the condition prevailing under the very nose of the Excise Commissioner, the House can more or less imagine what the state of affairs will be elsewhere. I have had occasions during my professional duties to see many of the shops in the town kept open even at very late hours in the night.

The temperance movement in Travancore is taking a firm hold on the land and the people are determined to wipe off the drink habit from the land. The recent arrests and the humiliating treatment meted out to a few respectable gentlemen of Central Travancore by the Police authorities indicate the policy of the Government towards the temperance movement.

LIBRARY ARCHIVES Kerala Legislative Assembly

PRESIDENT: That is quite a different matter. It is not before the House. The matter is *sub judice*. You must first of all establish its connection with the subject under discussion before you comment upon that arrest.

MR. M. N. PILLAI: This sort of oppression instead of bringing the desired effect will only bring Government into discredit. The several public meetings held throughout the length and breadth of the land to protest against the action of the authorities will show the firm determination of the people to fight against the drink habit, regardless of the consequences. With these few words I strongly support the motion before the House.

MR. K. DOMINIC TOMMAN: Sir, I am sorry I cannot support this most humane resolution in its entirety, as it stands. The total prohibition of the importation of foreign liquor is fraught with many practical difficulties. Wine is indispensable to the vast majority of Christians, for their religious services. This fact is recognised and conceded even in dry America.

As for the other varieties of foreign liquor, there is a very influential though small community in the State who use these liquors as a portion of their food. So the total prohibition of foreign liquor becomes out of the question. And the poor people are not very much affected by these varieties of liquor.

Although prohibition is credited to have made America dry, there are people who still say and believe that it is not quite dry. So long as the adjoining territories of Cochin and British India do not resort to prohibition, I do not think that Travancore can successfully attempt prohibition. For instance, anybody who wants a drink in Quilon town can have it from Tangasseri without any difficulty whatever. The conditions are similar in many other parts of the State.

In spite of all these, it is high time that Government also should lend a helping hand in the cause of the temperance movement. There is an idea in certain quarters that the officers of the Excise Department are fighting against the temperance movement, by preaching, by holding tapping classes, by giving undue facilities for drinking, by permitting sub-shops and even by molesting *bona fide* temperance workers. The real prosperity and good of the country depends upon the sobriety of its people. *Bona fide* temperance workers are the real benefactors of the country.

So it ought to be the aim of the Excise Department and of every right-thinking man, to encourage the temperance movement, and eradicate the evil of drink from the country.

I would suggest that the aim of Government should be to totally prohibit the manufacture of liquor in 10 years. With that object in view, the number of shops should be reduced by 10 per cent. in each year. With these reservations, I would sympathise with the principle of the resolution.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. J. John Nidiry.]

MR. J. JOHN NIDIRY: Sir, I have much pleasure in accepting the great principle underlying the resolution brought forward by my friend, Mr. Madhava Variar. I must also congratulate Mr. Madhava Variar on bringing this resolution before this House at this opportune moment, because I should think that he could not have a better opportunity than at present. From what we know, the country is at present full of the temperance movement. We find such movements elsewhere also. I am very glad to find that the leaders of the Ezhava community, the Christian community and the Nair community have joined together to make our country dry. It is a laudable work and it should be encouraged by all those who love the country and its people. And as such I welcome this resolution with the greatest pleasure and thankfulness.

We have also another advantage at present. We have just heard from the Head of the Administration here and we heard the same thing in the Assembly Hall that the Government of Travancore have great sympathy in this direction and that in principle they are one with us. We have also had the object lesson recently from America, in this matter, and the little experiment we have made in some parts of our own country has been referred to by my learned friend, Mr. Krishna Aiyangar. I refer to the endeavour made by His Lordship the Bishop of Changanachery to stop the evil of drink in his own diocese. Thus we see that this is the fittest time to take up the question seriously and to discuss the policy of temperance and also the policy of Government with regard to total prohibition. But I am sorry that I cannot completely agree to the wording of the resolution, and it has been pointed out by some that they are not in a position to understand the correct meaning or intention of the mover himself from the wording of the resolution under consideration. Anyhow, he himself has made some reservations and it has been suggested by some of my friends that further limitations are necessary. I should think that in a matter like this the proposition cannot be passed by this Council without certain reservations and limitations. But there are also other aspects of the question to be considered in this connection. We have been told by the President that the policy of Government is towards total prohibition and that it may take some time to reach that stage. But I submit that a mere declaration of the policy is not quite sufficient in an all-important matter like this. We want some definite, tangible proof of that policy to be shown by some external acts on the part of the Government. My friend, Mr. Krishna Aiyangar, has rightly suggested the idea of the formation of a committee of officials and non-officials to work out a plan of campaign against drink. At a time when there is some misunderstanding as to the intention of the officers of certain departments with regard to the present temperance movement, I should think it will be worth considering whether a committee consisting of officials and non-officials may not be appointed to go into the question of temperance and also to devise means as to how total prohibition could be attained. Of course, it may be rightly asked whether it is advisable to appoint committees for

LIBRARY ARCHIVES Kerala Legislative Assembly

every little thing. The Government may find it difficult and costly. But my submission is that this is a sufficiently important matter for consideration by a committee and the little expense or trouble that we shall have to meet will be only well spent. In this connection I may be permitted to make some practical suggestions as to how to reach the desired goal.

In the first place, as has been pointed out by some members, the number of shops may be reduced every year. Then again the number of hours during which the liquor is sold may be reduced. It will be seen from the observations made by my friends who spoke before me and also from what I have observed that taverns and toddy shops are generally beseiged by drunkards between 5 and 8 in the evening. If the time for the sale of liquor be stopped at 6 P. M. and no shops be allowed to be kept open for sale after 6 in the evening, it will be a great check on the drunken habits of the people and opening a way towards the success of the temperance movement. There is also another feature we find in connection with drink. It is on days like Sundays and festival days when the people have no work that these shops are very often resorted to. So, if we make it a point to close the toddy shops and taverns on such days, I think we could gradually bring about an appreciable reduction in the consumption of toddy and liquor. Then another point we have to consider in this connection is how to find out work for the toddy tappers and how to make use of our [illegible] and other palm trees which grow so abundantly in this country. This could be easily done by the encouragement of tapping for sweet toddy. I should think that if the Excise Commissioner and the Director of Industries put their heads together and devise some means for encouraging the industry of jaggery from sweet toddy, it will be a great blessing to the country and it would open the way for the development of a dying and a most useful industry in the land. It will also help the cause of temperance to a large extent.

With these observations, I generally support the principle of the motion brought forward by my friend, Mr. Madhava Variar.

Mr. P. V. DANIEL: Sir, the question of temperance is seriously exciting the interest of the people of Travancore, and I fully believe that it equally excites the interest of the benign Government of Travancore. I fully agree with Mr. Madhava Variar in the object he aims at, although I am not prepared to support his resolution in its entirety at this stage. Whether this noble object could be achieved by bringing the manufacture and consumption of intoxicating liquors and substances under the category of offences and penalising them or by cancelling the excise laws altogether or only by strongly appealing to the heart and soul of the people in general, are questions for very serious consideration. The object aimed at is of course absolutely worthy of achievement and I hope the Government will be pleased to take some definite steps in this direction.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. A. Govinda Menon.]

MR. A. GOVINDA MENON: Sir, the resolution before the Council has been discussed in all its aspects, so much so, that I find that the wind has been taken out of my sails. Even then, considering the importance of the subject, I wish to say a few words on the resolution. I do not think there is anybody present here who is against the spirit of Mr. Madhava Variar's resolution. I am sure that if Government were able to find out the wherewithal to conduct the administration without the help of the income from these intoxicants, they would proclaim a law to-morrow for the abolition of drink.

As for the intention of Government, they have been proclaiming year after year that it has been their policy to diminish consumption by raising duties. For my part, I think these expressions have been honest. But nothing has been done yet, either because popular opinion, perhaps, has not matured enough to demand prohibition, or the statesmen who have been administering this country have not been capable enough to devise a way to compensate the loss of revenue incidental to the adoption of prohibition in any degree. Anyhow, there is no reason to question the honesty of the Government or of the people here as to their utterances with regard to the prohibition of the manufacture or sale of any kind of intoxicating liquors. What I wish to suggest to Government at this moment is that they should translate their declared policy into action and should, as an earnest, adopt the following measures at least as early as possible.

First of all, I would ask them to introduce the independent shop system throughout the State. I am aware that the system is in vogue throughout the greater portion of the State, but the full benefits of it could be obtained only by its introduction into all parts of the country.

Secondly, I would advocate the introduction of what is called local option in a modified form. I would limit it for the present to municipal towns. Municipal Councils should be given the right of choosing the localities where the shops are to be located and the number of shops to be opened within the municipal area. In principle, almost all the Provincial Governments in British India have accepted this suggestion and have acted up to it in varying degrees. I see no reason why our local bodies should not be similarly empowered to fix the number and locality of shops within their jurisdiction. Loss of revenue is likely to occur by pursuing such a policy, but I trust we are not so bankrupt in statesmanship as to be unable to find out a means of recouping our treasury to the extent of such a loss.

The complete stoppage of illicit distillation is another urgent measure to which I would urge the attention of Government. This State has not exercised full control and kept strict watch over illicit distillation. In spite of the present rigour of the Abkari law, illicit distillation is going on unchecked in most parts of this State.

LIBRARY ARCHIVES Kerala Legislative Assembly

The last measure I would suggest is to vigorously prohibit the importation of foreign liquors except in such quantities as are absolutely required for the Europeans here. We cannot levy any import duty on such liquors, but we can certainly prohibit their importation. Toddy is not so harmful as arrack. As arrack demoralises the lower classes, so these foreign liquors are often demoralising the higher and middle classes of our society. There is absolutely no gainsaying this fact.

MR. S. KRISHNA AIYAR: Sir, without wounding the susceptibilities of Mr. Van Ross I would like to draw attention to his coupling the drink question with the non-co-operation movement and leave it to his good sense to read and understand aright and make such amends as he feels for this lapse from good taste.

MR. P. K. NARAYANA PILLAI: I move for a closure of this motion, the question having been thoroughly discussed.

MR. N. KUMARAN: I oppose the motion.

The motion for closure was then put to the vote and carried, 25 members voting *for* and 5 *against*.

The House then rose for lunch at 2-10. P. M.

The House re-assembled after lunch at 2-57 P. M.

MR. M. R. MADHAVA VARIAR: Sir, at the outset I have to point out that my resolution was misunderstood by certain learned members of this House and my object was misinterpreted. I do not say in my resolution that prohibition must be carried out immediately, to-day or to-morrow or this year. I did not use the word "immediately", advisedly. What I want to impress upon this House is that Government must accept prohibition as a policy, must formulate a definite scheme and work towards prohibition and carry it out within a definite period. That is the object of my resolution. I do not say that we must declare to-morrow by a notification in the Gazette that "drinking is prohibited in this country", or something of that sort. So, there is no meaning in saying that, if this resolution is accepted by this Council, there will be agitation in the country or that revenue will dwindle immediately or that the Abkari Regulation has to be changed abruptly. Government themselves have admitted that their object or goal is prohibition; but this declaration was made in 1074 and this declaration was subsequently accepted by various administrations in this country and they have said that prohibition is their goal and that the Excise Department works practically towards that goal. But if we examine the history of the Excise Department in the State, I think it will be clear that the Government are not achieving that object. So there must be a definite proposal or a definite scheme and a time must be fixed within which prohibition must be achieved and the Excise Department must meanwhile work according to the Rules and the Regulation and work towards temperance. That is the object of my

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. M. R. Madhva Variar.]

resolution and I did not use the word "immediately" in the resolution. I think those who have misunderstood me will support me after my explanation with regard to that. It was said that prohibition was impossible in Travancore, because there is no prohibition in Cochin and British India and because they surround Travancore. There may be smuggling or illicit manufacture and importation of liquor from Cochin or Malabar; but we cannot wait till Cochin or British India passes a law with regard to prohibition. We are not going to follow Cochin or British India; they should follow us. In Bhavnagar which is surrounded by British districts this policy has been adopted. In America also, though a law was made some time back, a time was allowed within which the scheme should be worked.

Certain technical points were raised with regard to my resolution, *e. g.*, whether industrial or medicinal purposes can be ascertained. If this policy is accepted by the Government, the details can be formulated afterwards. In America and elsewhere where this policy is accepted, medicinal and industrial purposes are clearly understood. Similarly, we can formulate details for carrying out this policy. For example the sale of cocaine is prohibited except for medicinal purposes. There medicinal purposes are not misunderstood by anybody. When I say "except for industrial or medicinal purposes" I included importation of alcohol and some other things necessary for experiments.

Another objection was that, in the clause "except for medicinal or industrial purposes" the words "or religious" also must be introduced. If that is brought in as an amendment I have no objection to accept it. I did not know that mass wine was necessary for worship, and if that is brought in as an amendment I am prepared to accept it. I do not want to wound the religious feelings of anybody in this country and I do not press that as a recommendation to Government.

The Excise Commissioner said that the policy was accepted by Government, but it was pointed out that prohibition was not at all possible, now or hereafter, and that, if prohibition was to be carried out, all the people in the State must say with one voice: "Yes, we want prohibition." It is impossible to carry out any law or to carry out any scheme under that condition. In America there was strong opposition to prohibition. It was carried by a narrow majority of 48 against 45. In Travancore we cannot expect such opposition. In this country even a drunkard will not say publicly: "I am a drunkard." In America and in England many openly say that they want drink. I recently saw something about what was said in the *Madras Mail* of a strange incident under the heading "Free Whisky."

"A rivulet of whisky ran down Parliamentary Road, Glasgow, the other day. The source of the rivulet was the smashed remains of a barrel which, while being transferred from a lorry to a warehouse, dropped upon the streets and smashed. There were about 80 gallons of spirit in the barrel. Crowds of men and women quickly flocked

LIBRARY ARCHIVES Kerala Legislative Assembly

to the scene, revelling in the orgy of the free drink. Jugs, cups, tins and even hats were utilised in salvaging the spirit and many people simply stooped down and, making a cup of their hands, drank their fill. Altogether about £ 300 worth of whisky vanished in this way." (*Laughter.*)

In the place where this incident occurred, the people like drink very much. But in India, especially in Travancore, people are averse to drinking. So we cannot expect any protest or agitation against the policy of prohibition.

Then something was said to the effect that prohibition would interfere seriously with personal liberty and freedom. I think that liberty and freedom are relative terms. They must be under certain restrictions. We have to curtail liberty and freedom for certain purposes, say, for health and morality. It is meaningless to say that the stopping of this pernicious habit will interfere with individual liberty. Mr. Van Ross said that this movement was not received with favour among the labour classes. As far as I understand, I am reading the literature on the subject and I receive pamphlets from America. I see and I can prove that prohibition is working very well in America and the labour classes are growing "dry" every day.

Another argument is that if prohibition is brought in there would be illicit manufacture and illicit importation of liquor. Even now it exists, and it will continue to exist, whether the Excise Department is in favour of prohibition or not. There can be no law without a breach. In this country we have got the Penal Code for punishing persons who break the law. Similarly, there will be illicit importation or manufacture of liquor. It will be for the Excise and the Police to stop the violation of law.

These are mainly the arguments brought forward against my resolution. If the principle of my resolution is accepted, I do not see any reason why my resolution cannot be supported. I do not say that you must carry out prohibition immediately. It can be done within 5 or 10 years. Certain persons showed lip-sympathy to my resolution but failed to support it. They said: "I am for that, but I do not support it". If anybody sympathises with the object of my resolution, of course, he can support me also and say that prohibition can be achieved. Some say that prohibition is not within the range of practical politics. Legislation in America is an example showing that it is within the range of practical politics. If we want, we can stop illicit importation and manufacture of liquor in this country also.

I have got a word to say about the working of the Excise Department in reply to certain statements made by Mr. Van Ross. I did not say that he was deliberately doing certain things, but I said that there was illicit manufacture and importation of liquor. Even now I say that there are more liquor shops than those mentioned in the Administration Report. I challenge him and say that I can convince him; and if 4 or 5 members of this House go with me, I can prove that shops are not

LIBRARY ARCHIVES Kerala Legislative Assembly

[The President.]

conducted according to rules even in this very city. So what I say is that the Abkari Regulation and the Rules thereunder must be enforced with more rigour. If the Excise Department works vigorously, prohibition can be achieved. If Government will formulate a scheme and help the temperance workers to carry out this policy, of course, we can achieve prohibition very soon. This is the meaning of my resolution. I do not think I have made any revolutionary suggestions. The resolution is a very modest one. Prohibition has been accepted by all civilised countries. This is all that I have to say in reply.

MR. A. J. VAN ROSS: I am sorry that my speech has been taken amiss by the members on the other side of the House. I did not intend to give any offence at all. As regards the resolution, I have said that I am in sympathy with it. The Government have also laid down their policy which is well-known to the members. There will be no going back on that policy. All that I wished to impress upon the House was the impracticability of introducing prohibition all at once. Now that the view seems to be that immediate prohibition was not what the resolution aimed at, but a gradual realisation of it, I find that I can agree to that. I have endeavoured to show to the House the practical difficulties in the way of any sudden drastic measures.

MR. K. P. RAMAN PILLAI: Louder, please.

MR. A. J. VAN ROSS: That will only bring on a great recrudescence of illicit practices and defeat the object in view. We ought to go somewhat slowly but steadily towards our goal. This agreed, I shall give the valuable suggestions of the House my serious consideration and formulate practical schemes. In view of what I now say I hope the member will withdraw his resolution.

MR. K. P. RAMAN PILLAI: May I know, Sir, whether that assurance is given on the authority of the Government?

PRESIDENT: Yes. If Government does not challenge what Mr. Van Ross says, then you may take it that he does so with the authority of the Government.

In the light of this assurance, are you willing to withdraw, Mr. Madhava Variar?

MR. M. R. MADHAVA VARIAR: There is nothing to withdraw. Mr. Van Ross accepts the resolution.

PRESIDENT: The principle is accepted, but the resolution cannot be accepted in the present form.

MR. M. R. MADHAVA VARIAR: I do not say that it should be done immediately.

PRESIDENT: Mr. Van Ross has given a definite assurance. On the strength of that, Mr. Madhava Variar, are you willing to withdraw?

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. M. R. MADHAVA VARIAR: If Mr. Van Ross will formulate a scheme and if Government will agree to pass a law on prohibition within a particular period, I will withdraw. The principle has been accepted even from 1074 M. E.

PRESIDENT: I am afraid Government cannot do the thing in such an off-hand manner. The Excise Commissioner will place his scheme before the Government for examination and acceptance —as far as it can be accepted. I do not think Government can say more than that on the spur of the moment.

MR. M. R. MADHAVA VARIAR: Then I withdraw the resolution.

The resolution was, by leave, withdrawn.

RESOLUTION *RE*.—EXTENSION OF SERVICE.

PRESIDENT: The next resolution stands in the name of Mr. T. Kumara Pillai and runs as follows:

"That this Council recommends to the Government that no extensions of service be granted to any employe in the public service of the State, except in cases where special knowledge and training are required and where other persons are not avaliable for the time being."

I call upon Mr. Kumara Pillai to move his resolution.

MR. T. KUMARA PILLAI: Sir, I beg to move the following resolution:

That this Council recommends to the Government that no extensions of service be granted to any employe in the public service of the State, except in cases where special knowledge and training are required and where other persons are not available for the time being.

ഉദ്യോഗകാലാവധികൾ നീട്ടിക്കൊടുക്കാൻ പാടില്ലെന്ന കാര്യകാരണസഹിതം പലേ അവസരങ്ങളിലും പ്രജാസഭയിൽ പ്രസ്താവിച്ചിട്ടുള്ളതാണ്. അതിൽ ഗവർൺമെൻറിന്റെ ശ്രദ്ധയെ വേണ്ടപോലെ ആകർഷിക്കാൻ സാധിക്കാത്തതുകൊണ്ടാണ് നിയമസഭയിൽ ഈ പ്രമേയം കൊണ്ടുവരുവാൻ ഇടയായിട്ടുള്ളത്.

ഉദ്യോഗകാലാവധികൾ നീട്ടിക്കൊടുക്കുന്നതിന് ആവശ്യംപോലെ സൌകര്യമുണ്ടാക്കി കൊടുക്കുന്നത് T. S. R. ൽ 304-A. എന്നുള്ള ഒരു വകുപ്പാണ്. ആ വകുപ്പിൽ ഇങ്ങനെ പറഞ്ഞിരിക്കുന്നു.

304 (A). "An officer who was attained the age of fifty-five may be required to retire, unless the Goverement or the head of the department, as the case may be, considers him efficient and permits him to remain in the service. But as the premature retirement of an efficient officer imposes a needless charge on the State, this rule should be worked with discretion, and in cases in which the rule is enforced, a statement of the reasons for enforcing it shall be placed on record".

LIBRARY ARCHIVES Kerala Legislative Assembly